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24 **Attorneys for Plaintiff Allen M. Metzger**

25 **UNITED STATES DISTRICT COURT**  
26 **NORTHERN DISTRICT OF CALIFORNIA**

27  
28  
19 JOSEPH LEONE, individually and on behalf }  
20 all others similarly situated, } No. C-07-04073-JCS  
21 Plaintiff, } CLASS ACTION  
22 v. } **PROOF OF SERVICE**  
23 S. TREZEVANT MOORE, JR., }  
24 CHRISTOPHER J. ZYDA, ELEANOR }  
25 CORNFELD MELTON, RONALD VIERA, }  
LUMINENT MORTGAGE CAPITAL, INC., }  
Defendants }

27 *Caption continues on following page.*

1    } No. C-07-04686-MHP  
2 ALLEN M. METZGER, on behalf of himself }  
3 and all others similarly situated, }  
4    } Plaintiff,  
5    }  
6 LUMINENT MORTGAGE CAPITAL, INC., }  
7 GAIL P. SENECA, SEWELL TREZEVANT }  
8 MOORE, JR., and CHRISTOPHER J. ZYDA, }  
9    } Defendants.  
10    }

11 I, Tyler Kelly, hereby declare as follows:

12 I am employed by Berman DeValerio Pease Tabacco Burt & Pucillo, 425 California Street,  
13 Suite 2100, San Francisco, California, 94104. I am over the age of 18 years and am not a party to  
14 this action. On September 14, 2007, I served true and correct copies of the following:

- 13     1. **ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD**  
14     **BE RELATED PURSUANT TO CIVIL L.R. 3-12 and 7-11;**
- 15     2. **DECLARATION OF NICOLE LAVALLEE IN SUPPORT OF**  
16     **ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD**  
17     **BE RELATED PURSUANT TO CIVIL L.R. 3-12 AND 7-11;**
- 18     3. **[PROPOSED] ORDER GRANTING ADMINISTRATIVE MOTION TO**  
19     **RELATE CASES PURSUANT TO L.R. 3-12 AND 7-11; and**
- 20     4. **PROOF OF SERVICE**

21 on the following by placing a true copy thereof enclosed in sealed envelopes, addressed as shown  
22 below, affixing proper first class postage, and depositing them in the United States Mail at San  
Francisco, California, in accordance with Berman DeValerio Pease Tabacco Burt & Pucillo's  
ordinary business practices:

23    **SEE ATTACHED SERVICE LIST**

24 I further declare that, pursuant to General Order 45 VIII(A), on the date hereof I served a  
25 copy of the [Proposed] Order in word-processing format on Judge Joseph C. Spero at his proposed  
26 order e-mail address: JCSpo@cand.uscourts.gov.

1 I declare under penalty of perjury pursuant to the laws of the United States that  
2 the foregoing is true and correct.

3 Executed at San Francisco, California, on September 14, 2007.  
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6 Tyler Kelly  
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